

REMARKS

Claims 21-32, 34, 35, and 41-46 are pending in this application. By this Amendment, Applicant has cancelled Claim 33, without prejudice, Applicant has added new Claim 46, and Applicant has amended Claims 21, 22, 23, 24, 29, 31, 32, 34, 35, and 45. Applicant has amended independent Claim 21 in order to more clearly distinguish the present invention, as defined by independent Claim 21, over the prior art. Applicant respectfully submits that the newly added Claim 46 does not contain new matter. Applicant further submits that the amendments to each of Claims 21, 22, 23, 24, 29, 31, 32, 34, 35, and 45 do not contain new matter.

Applicant respectfully submits that the present invention, as defined by Claims 21-32, 34, 35, and 41-46, is patentable over the prior art.

Applicant has also amended the Specification and, in particular, the paragraph beginning on page 1, line 4, as shown, in order to amend the "RELATED APPLICATIONS" section of the above-identified application and Applicant's claim of priority in the above-identified application.

As amended, the "RELATED APPLICATIONS" section and Applicant's claim of priority reads as follows:

-- This application claims the benefit of priority of U.S. Provisional Patent Application Serial No. 60/172,555, filed December 18, 1999, which teaches and discloses an apparatus and method for processing and/or for providing healthcare information and/or healthcare-related information, the subject matter and teachings of which are hereby incorporated by reference herein. --.

Applicant respectfully submits that the above amendment to the Specification does not contain new matter. Entry of the above amendment to the Specification and to Applicant's claim of priority is respectfully requested.

Applicant has also deleted the Abstract Of The Disclosure and has substituted therefor the new Abstract Of The Disclosure which is attached hereto on a separate sheet. Applicant respectfully submits that the new Abstract Of The Disclosure does not contain new matter.

Based on the foregoing amendments and the following Remarks, the application is deemed to be in condition for allowance and action to that end is respectfully requested.

I. THE 35 U.S.C. §103 REJECTIONS:

The Examiner asserts that Claims 21-22, 24, 26-27, and 29-35 are rejected under 35 U.S.C. §103(a) as being unpatentable over Boyer, et al., U.S. Patent No. 6,208,973 (Boyer) in view of Giannini, U.S. Patent No. 6,341,265 (Giannini) and further in view of Pritchard, U.S. Patent No. 4,491,725 (Pritchard). The Examiner also asserts that Claims 23 and 25 are rejected under 35 U.S.C. §103(a) as being unpatentable over Boyer in view of Giannini and Pritchard, and further in view of Rosenfeld, et al., U.S. Patent No. 6,804,656 (Rosenfeld). The Examiner also asserts that Claim 28 is rejected under 35 U.S.C. §103(a) as being unpatentable over Boyer in view of Giannini and Pritchard, and further in view of Sun, et al., U.S. Patent No. 6,273,856 (Sun). Lastly, the Examiner asserts that Claims 41-45 are rejected under 35 U.S.C. §103(a) as being unpatentable over Boyer in view of Giannini and Pritchard, and further in view of DiRienzo, et al., U.S. Patent No. 6,076,066 (DiRienzo).

As noted above, Applicant has cancelled Claim 33, without prejudice, Applicant has added new Claim 46, and Applicant has amended Claims 21, 22, 23, 24, 29, 31, 32, 34, 35, and 45. Applicant has amended independent Claim 21 in order to more clearly distinguish the present invention, as defined by independent Claim 21, over the prior art. Applicant respectfully

submits that the newly added Claim 46 does not contain new matter. Applicant further submits that the amendments to each of Claims 21, 22, 23, 24, 29, 31, 32, 34, 35, and 45 do not contain new matter.

Applicant respectfully submits that the present invention, as defined by Claims 21-32, 34, 35, and 41-46, is patentable over the prior art.

IA. THE PRESENT INVENTION, AS DEFINED BY CLAIMS 21-32, 34, 35, AND 41-46, IS PATENTABLE OVER THE PRIOR ART:

Applicant respectfully submits that the present invention, as defined by Claims 21-32, 34, 35, and 41-46, is patentable over the prior art. Applicant respectfully submits that the present invention, as defined by independent Claim 21, is patentable over the prior art.

Applicant respectfully submits that the present invention, as defined by independent Claim 21, is patentable over Boyer, Giannini, Pritchard, Rosenfeld, Sun, DiRienzo, and any combination of same. Applicant respectfully submits that Boyer, Giannini, Pritchard, Rosenfeld, Sun, DiRienzo, and any combination of same, do not disclose, teach, or suggest, the present invention, as defined by independent Claim 21.

Applicant respectfully submits that Boyer, Giannini, Pritchard, Rosenfeld, Sun, DiRienzo, and any combination of same, do not disclose, teach, or suggest, an apparatus, comprising a receiver, wherein the receiver receives information regarding an individual, wherein the information regarding an individual is transmitted from a first computer or from a first communication device, wherein the first computer or the first communication device is associated with or used by a healthcare provider, wherein the information regarding an individual is transmitted via, on, or over, at least one of the Internet and the World Wide Web, wherein the information regarding an individual contains information regarding at least one of a symptom, an examination finding, a diagnosis, a treatment, an administration of a treatment, and a procedure, and a database or a memory device, wherein the database or the memory device is associated with the receiver and is located at a location remote from the first computer or the first communication device, wherein the database or the memory device stores information regarding a plurality of individuals, a plurality of healthcare providers, and a plurality of healthcare insurers or healthcare payers, and further wherein the information regarding a plurality of individuals, a plurality of healthcare providers, and a plurality of healthcare payers, includes a healthcare record or a healthcare history for or associated with each individual of a plurality of individuals, including a healthcare record or a healthcare history for or

associated with the individual, information regarding a healthcare practice of, and an insurance accepted by, each of the plurality of healthcare providers, including information regarding a healthcare practice of, and an insurance accepted by, the healthcare provider, information for processing information regarding a healthcare diagnosis and a healthcare treatment, and information for submitting an insurance claim to a healthcare insurer or a healthcare payer associated with the individual, all of which features are specifically recited features of independent Claim 21.

Applicant submits that Boyer, Giannini, Pritchard, Rosenfeld, Sun, DiRienzo, and any combination of same, do not disclose, teach, or suggest, the recited database or the recited memory device, which is associated with the recited receiver and which is located at a location remote from the recited first computer or the recited first communication device, which recited database or recited memory device stores the recited information regarding a plurality of individuals, a plurality of healthcare providers, and a plurality of healthcare insurers or healthcare payers, which recited information regarding a plurality of individuals, a plurality of healthcare providers, and a plurality of healthcare payers, includes a healthcare record or a healthcare history for or associated with each individual of a plurality of individuals, including a healthcare record or a

healthcare history for or associated with the individual, information regarding a healthcare practice of, and an insurance accepted by, each of the plurality of healthcare providers, including information regarding a healthcare practice of, and an insurance accepted by, the healthcare provider, information for processing information regarding a healthcare diagnosis and a healthcare treatment, and information for submitting an insurance claim to a healthcare insurer or a healthcare payer associated with the individual. Applicant submits that Boyer, Giannini, Pritchard, Rosenfeld, Sun, DiRienzo, and any combination of same, do not disclose, teach, or suggest, the recited information for submitting an insurance claim to a healthcare insurer or a healthcare payer associated with the individual.

Applicant submits that Boyer, Giannini, Pritchard, Rosenfeld, Sun, DiRienzo, and any combination of same, do not disclose, teach, or suggest, a processing device, wherein the processing device processes the information regarding an individual, and further wherein the processing device at least one of stores the information regarding an individual in the database or the memory device and updates the healthcare record or the healthcare history for or associated with the individual, and further wherein the processing device automatically generates an insurance claim based on the information regarding the individual received by the receiver, information regarding the

healthcare provider, and information regarding the healthcare insurer or the healthcare payer associated with the individual, wherein the insurance claim is suitable for being automatically submitted to the healthcare insurer or the healthcare payer associated with the individual or automatically transmitted to a second computer or a second communication device, wherein the second computer or the second communication device is associated with the healthcare insurer or the healthcare payer associated with the individual, and further wherein the processing device transmits the insurance claim to the second computer or to the second communication device, all of which features are still other specifically recited features of independent Claim 21.

Applicant submits that Boyer, Giannini, Pritchard, Rosenfeld, Sun, DiRienzo, and any combination of same, do not disclose, teach, or suggest, the recited processing device which processes the recited information regarding an individual, which at least one of stores the recited information regarding an individual in the recited database or the recited memory device and updates the healthcare record or the healthcare history for or associated with the individual, and which automatically generates the recited insurance claim based on the recited information regarding the individual, information regarding the healthcare provider, and information regarding the healthcare insurer or the healthcare payer associated with the individual,

which recited insurance claim is suitable for being automatically submitted to the healthcare insurer or the healthcare payer associated with the individual or automatically transmitted to a second computer or a second communication device which is associated with the healthcare insurer or the healthcare payer associated with the individual.

Applicant submits that Boyer, Giannini, Pritchard, Rosenfeld, Sun, DiRienzo, and any combination of same, do not disclose, teach, or suggest, the recited processing device which automatically generates the recited insurance claim based on the recited information regarding the individual, information regarding the healthcare provider, and information regarding the healthcare insurer or the healthcare payer associated with the individual, which recited insurance claim is suitable for being automatically submitted to the healthcare insurer or the healthcare payer or automatically transmitted to a second computer or a second communication device which is associated with the healthcare insurer or the healthcare payer associated with the individual.

Applicant further submits that Boyer, Giannini, Pritchard, Rosenfeld, Sun, DiRienzo, and any combination of same, do not disclose, teach, or suggest, the recited processing device

which transmits the recited insurance claim to the recited second computer or to the recited second communication device.

In view of the foregoing, Applicant respectfully submits that Boyer, Giannini, Pritchard, Rosenfeld, Sun, DiRienzo, and any combination of same, do not disclose, teach, or suggest, many of the specifically recited features of independent Claim 21. Applicant further respectfully submits that Boyer, Giannini, Pritchard, Rosenfeld, Sun, DiRienzo, and any combination of same, do not disclose, teach, or suggest, all of the specifically recited features of independent Claim 21.

In view of the foregoing, Applicant respectfully submits that the present invention, as defined by independent Claim 21, is patentable over Boyer, Giannini, Pritchard, Rosenfeld, Sun, DiRienzo, and any combination of same.


In view of the above, Applicant respectfully submits that the present invention, as defined by independent Claim 21, is patentable over the prior art. Applicant further respectfully submits that Claims 22-32, 34, 35, and 41-46, which claims depend either directly or indirectly from independent Claim 21, so as to include all of the limitations of independent Claim 21, are also patentable as said Claims 22-32, 34, 35, and 41-46 depend from allowable subject matter. In particular, Applicant respectfully

submits that Boyer, Giannini, Pritchard, Rosenfeld, Sun, DiRienzo, and any combination of same, do not disclose, teach, or suggest, all of the specifically recited features of independent Claim 21, and, therefore, Boyer, Giannini, Pritchard, Rosenfeld, Sun, DiRienzo, and any combination of same, do not disclose, teach, or suggest, all of the features of each of dependent Claims 22-32, 34, 35 and 41-46. Allowance of pending Claims 21-32, 34, 35, and 41-46 is, therefore, respectfully requested.

II. CONCLUSION:

In view of the foregoing, the application is deemed to be in condition for allowance and action to that end is respectfully requested. Allowance of pending Claims 21-32, 34, 35, and 41-46 is respectfully requested.

Respectfully Submitted,


Raymond A. Joao
Reg. No. 35,907

Encl.: - Abstract of the Disclosure

October 23, 2007

Raymond A. Joao, Esq.
122 Bellevue Place
Yonkers, New York 10703
(914) 969-2992